



Mr Adrian Panuccio
General Manager
Midcoast Council
PO BOX 402
TAREE NSW 2430

Dear Mr Panuccio

Planning proposal PP-2021-4563 to amend *Gloucester Local Environmental Plan 2010*

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 16 July 2021 in respect of the above planning proposal.

As delegate of the Minister for Planning and Public Spaces, I have determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Ministerial directions: 1.5 Rural Lands and 2.1 Environmental Protection Zones are justified in accordance with the terms of the directions. No further approval is required in relation to these directions.

Council will still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Ministerial directions 4.3 Flood Prone Land. Council should ensure this occurs prior to the plan being made.

I have considered Council's request for delegations to remain with the Department given the site is Council-owned land. I have not conditioned the Gateway for Council to be the local plan making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should commence the exhibition of the planning proposal by 1 December 2021. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The NSW Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Paul Maher Planning Officer, Central Coast and Hunter Region to assist you. Mr Maher can be contacted on 4904 2719.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dan Simpkins', with a long horizontal line extending to the right.

Dan Simpkins
Director
Central Coast and Hunter Region
Planning and Assessment

Encl: Gateway determination